

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
ELKINS**

**JOSHUA WINCE, DELIA LOFTIS,  
and CARLTON WHITE, individually  
and on behalf of all others similarly  
situated,**

**Plaintiffs,**

**v.**

**Civil Action No. 2:09-CV-135  
(BAILEY)**

**EASTERBROOKE CELLULAR  
CORPORATION, NEW CINGULAR  
WIRELESS PCS, LLC; AT&T MOBILITY  
II LLC; AT&T MOBILITY LLC; AT&T INC.;  
and JOHN DOES 1 THRU 10,**

**Defendants.**

**ORDER GRANTING JOINT MOTION TO STAY PENDING RESOLUTION OF  
DEFENDANTS' MOTION TO COMPEL ARBITRATION**

On this day, the above-styled civil action came before this Court upon the parties' Joint Motion to Stay All Proceedings Pending Resolution of Defendants' Motion to Compel Arbitration [Doc. 13], filed January 7, 2010. In their motion, the parties seek to stay this matter pending resolution of Defendants' Motion to Compel Arbitration Pursuant to the Federal Arbitration Act With Supporting Memorandum of Law [Doc. 8], which does not become ripe for adjudication until January 25, 2010. See Doc. 11.

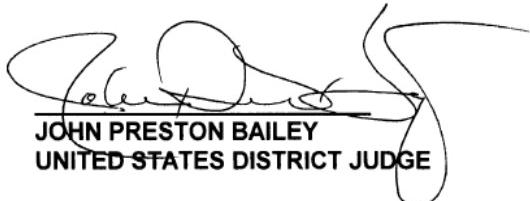
Having reviewed the above, this Court is of the opinion that the Joint Motion to Stay [Doc. 13] should be, and is, hereby **GRANTED**. Accordingly, this matter is hereby **STAYED** pending resolution of the motion to compel arbitration. As such, this Court's First

Order and Notice Regarding Discovery and Scheduling [Doc. 4] is hereby **VACATED**.

It is so **ORDERED**.

The Clerk is hereby directed to transmit copies of this Order to counsel of record.

**DATED:** January 8, 2010.



JOHN PRESTON BAILEY  
UNITED STATES DISTRICT JUDGE